

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John G. CARMAN Confirmation No.: 8954
Application No.: 10/772,243 Group Art Unit: 1638
Filing Date: February 6, 2004 Examiner: Keith O'Neal Robinson
Title: METHODS FOR STABILIZING AND Attorney Docket No.: 15740.005
CONTROLLING APOMIXIS

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Petitioner, Rodney J. Fuller, represents that he is the attorney of record for the present application.

Petitioner states that Utah State University is the Assignee of the entire interest in and to the above-identified application by virtue of an assignment that was recorded on June 18, 2004 at reel 014747/frame 0699. This petition is made on behalf of and for the benefit of the Assignee.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of any patent granted on the pending reference Application No. 10/785,157, filed on February 25, 2004 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on the pending reference Application No. 10/785,157.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantees, their successors, and their assigns.

Petitioner does not disclaim any terminal part of any patent that issues on the above-identified application prior to the expiration date of any patent granted on Application Nos. 10/785,157 in the event that either patent is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all

claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the Assignee seeking to take action in this matter and that he is empowered to act on behalf of the Assignee.

Petitioner hereby declares that all statements made herein of his own knowledge and belief are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Signed this 5th day of May 2009.

Respectfully submitted,

May 5, 2009

Date

/Rodney J. Fuller/

Rodney J. Fuller (Reg. No. 46,714)

Position: Petitioner for Assignee

FENNEMORE CRAIG

Customer No. 27,887

602-916-5404